

NEW MILITARY PLANS FOR OAHU

ATCHERLEYS ARE ON GUARD IN LAWYER MAGOON'S OFFICE

"Brigands and highway robbers" are the terms Attorney Magoon applies to those who are seeking to get hold of the person of Dr. Atcherley and land him in the asylum. He further says that any lawyer who would make such contentions as the attorney general makes in the case is not fit to hold the job of attorney general, and doesn't know as much as a schoolboy ought to know.

"It is the most outrageous proceeding in violation of liberty that ever took place in this country," said Magoon. "It is not Atcherley's fight, but everybody's. This man was set free by Judge Robinson on habeas corpus and the attorney general proposes to ignore the decision on a claim that a mere appeal acts as a supersedeas, which is so absurd, unfounded and ridiculous that no lawyer who advances it is fit to be attorney general. I am not a man to advise violence or lawbreaking, and we took the legal means to free Dr. Atcherley. When he won legally in court they propose by acts of brigandage and highway robbery to ignore the court's decision. I don't want to mince words at all. It is the most outrageous, lawless infraction of personal liberty I ever heard of. Yes, Dr. Atcherley is still in my office, my advice to him is not changed at all."

The down-town section of the Atch-

erley "siege" remains this afternoon almost precisely as it was yesterday, the only change being that the guard force at the Magoon building has been reduced to one man. Special police stroll around there once in a while, however, but as there is "nothing doing" they are soon off.

Dr. Peterson, superintendent of the Insane Asylum, was down this morning, looking for news. He says he is still "searching" for Atcherley. Technically, that is correct, for while he has him treed he has not actually laid hands on or even seen the man.

Sheriff Jarrett was in conference with the Attorney-General just before noon. It is understood that the latter has some plan in mind, but what that is could not be learned. Jarrett, after the interview, stated that he would continue the guard at the Magoon building, but merely to prevent a clash between the Atcherley forces and the asylum guards.

Atcherley and his wife were moved last night from the spare room at the Ewa end of the Magoon building into Mr. Magoon's offices. There they are fitted up in fairly comfortable shape, and, to all appearances, intend to stay there until the Supreme Court takes up the matter of the appeal from Judge Robinson. Papers in this appeal have already been filed.

PEARL HARBOR TRACTION CO. INCORPORATES

CONCERN WHICH PROPOSES TO ESTABLISH NEW COMMUNICATIONS BETWEEN PEARL HARBOR AND HONOLULU INCORPORATES FOR \$100,000 WITH PRIVILEGE TO INCREASE ITS CAPITAL TO FIVE MILLION—L. T. PECK PRINCIPAL STOCKHOLDER.

Following the decision of the Supreme Court on Wednesday that the Territorial treasurer had not the right to grant a charter to the Pearl Harbor Traction Company, the promoters, Peck and D. L. Withington. Each of that concern this morning filed with the treasurer the formal articles of incorporation suggested by the court

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HIS MOTHER HAS FITS

MRS. KALEIKINI THROWS SPASMS FOR A LITTLE WHILE JUST OUTSIDE COURTROOM.

Mrs. Kaleikini, the mother of George Kaleikini on trial for killing his wife, was taken with fits in the corridor outside of Judge De Bolt's court just before noon. She foamed at the mouth and it was about seventeen minutes before she resumed a normal condition.

Mr. Achi is going to try to prove hereditary insanity for a defense. The prosecution rested before recess and the defense is going on this afternoon.

DR. BISHOP'S MIND HAS GIVEN WAY

Rev. Sereno E. Bishop, D. D., the venerable scientist and theologian, has been stricken with senile dementia of somewhat violent type. So as to afford him skilful care and treatment, his family has concluded to place him in the Asylum. Dr. Bishop seems to realize something of his condition, for he cheerfully consents to be taken to the institution, saying he knows Dr. Peterson and has confidence in him.

From a stroke of paralysis a year or two ago, Dr. Bishop was confined to his home. His mind retained its accustomed activity as readers of The Star have occasionally known through his contributions to this paper. A few weeks ago Dr. Bishop had another stroke and was reported critically ill, but that his mental powers should collapse before the end was not expected.

PETERSON HAS GUN

Doctor Peterson of the Asylum for the Insane yesterday registered with the City and County Clerk a two-barreled, two-cartridge, short-nozzled, forty-two-caliber, "noiseless."

Doctor Peterson has been guarding the Magoon building on Merchant and Alakea streets to take the body of Dr. Atcherley if he should emerge therefrom and Attorney Magoon has Atcherley locked in an office-room pending final determination of his custody.

What Peterson secured the pistol for is not recorded, in fact City and County Clerk Kalaauokalani stated this morning that he could not let a reporter or anybody else see or be informed about the gun-register without permit of the Sheriff or Deputy Sheriff.

Culman's watches are of lasting regularity, made perfect by machines of precision.

SALE CLOSSES SATURDAY.
The dress goods sale at Sachs' closes Saturday. Till then, goods sell at almost half price. Special Saturday.

Best cup of coffee in the city at New England Bakery.

K. YAMAMOTO.
Wholesale Merchant on Hotel street has received the largest consignment of Japanese goods which he is disposing of at very reasonable prices. Mr. K. Yamamoto is always the first man to import the first crop of goods from Japan, and we can promise the best of treatment from this popular merchant.

THE CHARTER DECISION.
Lorrie A. Thurston, in a published letter, shows that the charters of the Rapid Transit and Hilo Railroad companies are not affected by the recent decision of the Supreme Court on the Pearl Harbor Traction Co. case. They received their charters from the Republic of Hawaii in the transition period, which Congress ratified in the Organic Act. Mr. Thurston also shows that none of the plantation and mercantile companies are affected, they having incorporated under the general law.

February 6, Tag Day, will interest everybody.

WAR DEPARTMENT TAKES SOME LAND HERE FROM NAVY

(Associated Press Cable to The Star.)

WASHINGTON, D. C., February 5.—President Roosevelt has placed in the control of the Secretary of War five and three-quarters acres as a reservation on Kaakukukui reef, Honolulu harbor, for the establishment thereon of storehouses, loading platforms and defenses for the protection of submarine mines.

This is supposed to refer to the re-much of which has been filed in, on the Waikiki side of the channel leading into the Harbor of Honolulu, now the property of the Navy but which is to be turned over for the use of the Army.

WILDER AND LINDSAY ARE RE-NOMINATED

WASHINGTON, D. C., February 5.—President Roosevelt has today renominated Alexander Lindsay, Jr., second judge of the First Circuit Court, and Arthur A. Wilder, associate justice of the Supreme Court of the Territory of Hawaii.

NEVADA LEGISLATURE IS MORE PEACEFUL

CARSON, Nevada, February 5.—A resolution asking the President to order the Atlantic fleet to immediate duty in the Pacific, on account of the menace of Japan, was today tabled in the Senate.

SACRAMENTO, February 5.—Governor Gillet has sent a message to the Assembly recommending that reconsideration be had in regard to the school bill passed yesterday which measure provides for the segregation of the children of Japanese from the children of others in the public schools of this State. The Governor points out in his message that the bill is clearly a violation of treaty rights. Action on the message of the Governor has been deferred until Wednesday. The bill was introduced in the Senate today.

DISCHARGED WORKER THROWS DYNAMITE

CROCKETT, February 5.—The home of the superintendent of the California Refining Company was this morning dynamited by a discharged employe. No one was hurt.

FIGHT FOR \$2,000,000

NEW YORK, February 5.—The taking of testimony in the suit to recover over \$2,000,000 for duties paid by the American Refining Company has begun.

REFINERY BURNING

LOS ANGELES, February 5.—The three million dollar American Refining Company's plant at Chalmette is burning.

THOROUGHLY TESTED.
Chamberlain's Cough Remedy has been examined by eminent analytical chemists who certified that it contained no narcotics. It is not only a safe and harmless medicine but the best in use for coughs, colds and croup. For sale by all dealers, Benson, Smith & Co., agents for Hawaii.

Why Use Shoe Trees

The forms, or trees, keep the shoes free from wrinkles, and prevent them from "curling up."

They keep the shoes in perfect shape and lengthen their wear. The additional wear that trees give the shoes more than covers their cost.

They are indestructible, and will last for years.

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Japanese School Question In Congress

DEBATE DURING WHICH THE RIGHT OF CALIFORNIA TO PASS LAW SEGREGATING ALIENS IN SEPARATE SCHOOLS WAS UPHELD—LAW FURTHER PROTECTING ALIENS IN AMERICA PASSES AFTER DEBATE BY MAJORITY OF ONE.

The school question which has suddenly been revived in California was discussed in Congress at some length on December 12, and in view of the cable report of the passage by the Assembly of the California legislature of a law to require Japanese to attend separate schools, the debate is of special interest. The act under discussion was an act to make it an indictable offense in a federal court for any two or more persons to conspire against the rights of an alien, which rights are secured by treaty. The bill passed by a majority of one, but in the discussion it was several times stated that California or any other state had absolute power to decide who should attend schools. Following is some of the discussion:

MR. SHERLIDY of Kentucky. I do not know of any power under the treaty making clause of the Constitution that enables the Federal government to confer upon aliens rights superior to those possessed by citizens. I myself have always believed that the treaty-making power was a restricted power, and upon this floor took occasion to

point out some limitations which were on that power. Now, this proposed law does not undertake to say what rights can be conferred upon aliens. What it does undertake to say is this: That when the government of the United States confers a right upon an alien as a result of a formal treaty made with a sovereign power, that it owes it to its standing as a member of the great nations of the world to see that that right is maintained and enforced. (Applause). This matter is not a new proposition. President after President has sent messages to Congress asking that something be done to give the Federal government power to enforce its treaties. What a humiliating position the United States is in when it is called upon by a government with which it has entered into a formal treaty to enforce a right guaranteed by such treaty, and has to answer that it has not power, and that such foreign nation will have to look to a State which that nation does not recognize.

Now, I agree with this much of what

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THE TERRITORY FACES \$70,000 DEFICIT JUNE 30

NOTWITHSTANDING THE GOVERNMENT WILL SAVE \$200,000 OF APPROPRIATIONS THE DEFICIT AT END OF LAST SIX MONTHS OF PERIOD WILL BE \$70,000—VARIOUS MODES OF RETRENCHMENT WHEREBY FINANCIAL EQUIPOISE MAY BE REGAINED.

In giving out a financial statement covering the last six months of the biennial period ending on June 30 next, Governor Frear this morning made the following comments:

"At the beginning of the period there was a treasury balance of a little over \$313,000 net cash. We are figuring on saving a round \$208,000 by leaving portions of the appropriations unexpended. There is figured a deficit of about \$600,000 that the Legislature appropriated over the revenue.

"That is, notwithstanding we save about \$208,000 not expended, we are still left in a hole of about \$70,000."

Asked how it was proposed to meet this deficit in the next biennial period, the Governor said:

"There are many ways:

"By increasing the revenue.

"By reducing salaries.

"By wiping out positions.

"By reorganization and rearrangement so as to accomplish the work with less machinery.

"By action of the Legislature which will avoid expenditures in some ways."

Following is the financial statement given out:

Estimates, Territory of Hawaii, for the six months ending June 30, 1909.

REVENUE.

Cash balance, Dec. 31, 1908, \$304,131.82

Estimated available receipts six months ending June 30, 1909, not including land sales (same as last year) \$1,306,116.48

Total \$1,610,248.30

EXPENDITURES.

Outstanding warrants Dec. 31, 1908 \$152,152.89

Balance of road, special and land improvement funds, Dec. 31, 1908 \$17,806.44

Balance of previous appropriation on Dec. 31, 1908, \$958,130.69; less estimated unexpended June 30, 1909, \$207,805.47 \$750,325.22

Additional appropriations \$132,468.64

Unpaid bills \$2,570.04

To counties, road taxes \$119,374.00

One-half other taxes \$473,374.00

One-half licenses \$30,000.00

Total \$1,680,071.83


Deficit \$69,823.53

MORE PEACE FLEETS COMING TO HAWAII

ASSERTED THAT BATTLESHIPS MAINE, IDAHO, MISSISSIPPI AND HAMPSHIRE AND TWO ARMORED CRUISERS WILL BE ORDERED TO PACIFIC SOON—NEW DREADNAUGHTS TO BE TESTED OUT AROUND THE WORLD—OTHER SQUADRONS.

Oh, the further off from Yankee-The Star this morning, "but, though land, the nearer to Japan, there has been much criticism because And the more the miles we leave the Atlantic fleet of sixteen battleships behind, the nearer 'tis to land, was not kept in the Pacific, the United States has not overlooked the efficiency of a substantial floating peace fleet is, the more Japan talks," said an Army officer to a representative of

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